

Conference on Disarmament

3 September 2013

English

UNITED NATIONS
DEPOSITORY

SEP 04 2015

UNIVERSITY OF ILLINOIS
AT URBANA-CHAMPAIGN

Final record of the one thousand two hundred and ninety-ninth plenary meeting

Held at the Palais des Nations, Geneva, on Tuesday, 3 September 2013, at 10.15 a.m.

President: Mr. Gerard Corr.....(Ireland)



The President: The 1299th plenary meeting of the Conference on Disarmament is called to order.

This session will be devoted mainly to consideration of the Conference's draft report for this year to the General Assembly of the United Nations at its sixty-eighth session.

Before giving the floor to the speakers inscribed on my list, allow me to make a general housekeeping point: I wish to remind you about the survey being conducted by the Division of Conference Management (DCM) of the United Nations Office at Geneva. So far, only eight responses have been received. Your feedback on the quality of the conference services at this meeting is important to DCM in order to provide more efficient and effective meetings. I would therefore like to encourage all delegates to participate in the survey, as it will only take a few minutes. The survey is electronic and available online until the conclusion of our meeting on 13 September 2013. The conference officers in this room are equipped with iPads, which you may use to take the survey. Alternatively, you may access the survey with your own smartphones or tablet devices using the displayed QR codes. On behalf of DCM, I wish to thank all delegates who have already participated in the survey.

I have two speakers inscribed on the list today. First, I shall give the floor to the representative of Bangladesh on behalf of the Group of 21.

Mr. Hannan (Bangladesh): I have the honour to deliver the following statement on behalf of the Group of 21 on negative security assurances.

The Group of 21 reaffirms that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons. The Group remains convinced that as long as nuclear weapons exist, so also will the risk of their proliferation and possible use remain with us.

Pending the achievement of the complete elimination of nuclear weapons, the Group reaffirms the urgent need to reach an early agreement on a universal, unconditional and legally binding instrument to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Such an instrument should be clear, credible, without any ambiguity and should respond to the concerns of all parties.

The Group believes that there is a need to recognize the right of non-nuclear-weapon States not to be attacked by or threatened by the nuclear-weapon States with the use of nuclear weapons, and strongly calls upon the nuclear-weapon States to refrain from any such action or threat, whether implicit or explicit.

The Group underlines the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and to bring to a conclusion negotiations leading to nuclear disarmament in all the aspects under strict and effective international control.

The Group highlights the objectives laid down in General Assembly resolution 67/38, entitled "Promotion of multilateralism in the area of disarmament and non-proliferation", which, among other things, reaffirms multilateralism as the core principle in resolving disarmament and non-proliferation concerns.

The Group remains deeply concerned at strategic defence doctrines which not only set out rationales for the use or threat of use of nuclear weapons, but also maintain unjustifiable concepts on international security based on promoting and developing military alliances' nuclear deterrence policies.

The Group believes that, pending the total elimination of all nuclear weapons, the establishment of nuclear-weapon-free zones, on the basis of arrangements freely

arrived at among the States of the region concerned and taking into account provisions of the first special session of the General Assembly of the United Nations devoted to disarmament is a positive step and important measure towards strengthening global nuclear disarmament and non-proliferation. In this context, the Group welcomes the nuclear-weapon-free zones established by the treaties of Tlatelolco, Rarotonga, Bangkok, Pelindaba, Semipalatinsk and the nuclear-weapon-free status of Mongolia. The Group reiterates that in the context of nuclear-weapon-free zones, it is essential that nuclear-weapon States provide unconditional assurances against the use or threat of use of nuclear weapons to all States of the zones.

The Group reiterates its support for the establishment in the Middle East of a zone free of all nuclear weapons. To this end, the Group reaffirms the need for the speedy establishment of a nuclear-weapon-free zone in the Middle East, in accordance with Security Council resolution 487 (1981), paragraph 14 of Security Council resolution 687 (1991) and the relevant General Assembly resolutions adopted by consensus. The Group of 21 States parties to the Nuclear Non-Proliferation Treaty (NPT) recall the deliberations of the second session of the Preparatory Committee for the 2015 NPT Review Conference that took place between 22 April and 3 May 2013 in Geneva. In this context, they express their profound disappointment at the failure to convene the conference on the establishment in the Middle East of a zone free of nuclear weapons and all other weapons of mass destruction in 2012, as scheduled and agreed upon by a consensus decision contained in the Final Document of the 2010 Review Conference. While strongly rejecting the alleged impediments for not convening the conference on schedule, the Group of 21 States parties to the NPT urge the Secretary-General of the United Nations and the United States, the United Kingdom and the Russian Federation to convene the conference without any further delay in order to avoid any negative repercussions for the NPT. They also recall in this context their statement reaffirming that Israel is the only impediment in the creation of such a zone in the Middle East. The Group of 21 States parties to the NPT reiterate their call for the full implementation of the recommendations for follow-on actions adopted at the 2010 Review Conference, particularly the implementation of the 1995 resolution on the Middle East that was an essential element of the package of decisions at the 1995 Review and Extension Conference and of the basis on which the Treaty was indefinitely extended without a vote.

While the Group believes that nuclear-weapon-free zones are positive steps towards strengthening global nuclear disarmament and non-proliferation, it does not subscribe to the arguments stating that the declarations that had been made by the nuclear-weapon States are sufficient, or that security assurances should only be granted in the context of nuclear-weapon-free zones. In addition, given their geographical limitation, the security assurances guaranteed to States members of nuclear-weapon-free zones cannot substitute for universal legally binding security assurances.

The Group recalls that the demand for security assurances was raised by the non-nuclear-weapon States in the 1960s, and it crystallized in 1968 during the concluding phase of the negotiations for the NPT. The response of nuclear-weapon States reflected in resolutions 255 (1968) and 984 (1995) of the Security Council was considered incomplete, partial and conditional by the non-nuclear-weapon States. The demand for assurances therefore persists.

The Group accepts that while various approaches exist, efforts to conclude a universal and legally binding instrument on security assurances to non-nuclear-weapon States should be vigorously pursued. The Group considers that the conclusion of such an instrument would be an important step towards achieving the objectives of arms control, nuclear disarmament and nuclear non-proliferation in all its aspects.

The President: I thank the Ambassador of Bangladesh for his statement on behalf of the Group of 21. I now give the floor to the Ambassador of Chile, Ambassador Balmaceda.

Mr. Balmaceda (Chile) (*spoke in Spanish*): As this is the first time that I am addressing the Conference on Disarmament, allow me to begin by congratulating you, Mr. President, on your appointment to guide us through one of the most complex challenges facing the international community.

For me it is a great privilege and responsibility to take over from Ambassador Pedro Oyarce, who has devoted his life to defending multilateralism. I assume my new responsibilities against the backdrop of a stalemate that has lasted for more than 15 years: that situation gives Chile great cause for concern. As you are aware, we have proposed and supported several initiatives intended to break the deadlock in this negotiating process, in the knowledge that the survival of the Conference hangs in the balance. In 2011, for instance, when Chile held the presidency of this forum, it presented elements of a possible programme of work. The recent establishment of a working group to propose an agenda — at the suggestion of the Secretary-General of the United Nations — in order to speed up progress towards nuclear disarmament is a positive sign and we look forward to contributing to the group's work.

While I recognize that it may be difficult to bring new ideas to the table, I would like to raise a few points that, in our view, should be borne in mind — especially since we have been unable to respond to the legitimate concerns of global civil society, which is disappointed at our failure to produce practical solutions that espouse the principles and values we purport to represent. For Chile, achieving concrete results is closely linked to the changing dynamics of international developments. Therefore, allow me to suggest some actions that we feel this forum should consider taking.

Firstly, we need to transform this body into one that, while looking to the future, is capable of providing flexible, dynamic, timely, effective and tangible responses to the problems that are its very reason for being. An essential prerequisite for this is a shared political will on the part of all member States. This will have the added benefit of reinforcing the Conference's legitimacy, effectiveness and credibility, which are today being seriously called into question by global civil society.

Secondly, while we respect the prerogative of each State to decide whether or not to accede to any given agreement, there is no denying that international institutions are going through a period of transition, including with regard to the role of consensus. With a view to delivering with the effectiveness so urgently demanded by the international community, Chile requests that the rule be reconsidered, bearing in mind that its rationale and utility are very much rooted in the past. As this forum is well aware, Chile has expressed this position on numerous occasions. Negotiating in order to ensure people's safety is the obligation of each member of the Conference and, to fulfil that obligation, bodies such as the Conference need to be flexible and remain in step with the thinking of the twenty-first century.

Thirdly, the contribution of civil society through NGOs, the academic community and the business and labour sectors is an imperative that we can no longer overlook. Involving civil society in decision-making at this forum, as is the case in other international bodies, will help the Conference to create the conditions necessary for sustainable democratic governance.

The Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) establishes Latin America as a true universal benchmark against which commitment to international peace and security can be measured. We thus have sufficient credentials to request this forum to take account of our concerns and to resume negotiations on negative security assurances without

further delay. Let us not forget that we are being watched by a global society eager to see functional multilateralism in action. Against such a backdrop, our best option is to focus first and foremost on the areas where there is a consensus of opinion. Indeed, we could perhaps send a political message to that effect at the high-level meeting of the General Assembly on nuclear disarmament that will take place on 26 September, pursuant to Assembly resolution 67/39.

Lastly, I wish to reiterate that my country will continue to support and encourage decisions intended to adapt the multilateral architecture, in particular within this body, to meet the challenges of the future. This is all the more important when the challenge at hand is to come up with solutions that will guarantee much-cherished peace and security to our own and future generations. Those of us sitting in this room have a responsibility to make this desire a reality for the benefit of all humankind. This is the time to show that we practise what we preach.

The President: I thank the Ambassador of Chile for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Bangladesh on behalf of the Group of 21.

Mr. Hannan (Bangladesh): I have again the honour to deliver the following statement on behalf of the Group of 21 on prevention of an arms race in outer space.

At the outset, the Group expresses its deep appreciation for the open, transparent and efficient manner in which you are guiding the proceedings of the Conference.

The Group also would like to extend its gratitude to the previous Presidents of the Conference on Disarmament for the efforts they have deployed as a contribution to overcome the long impasse and allow the Conference to resume substantive work, including negotiations at the earliest.

The Group of 21 believes that space technology has indeed become an indispensable and integral part of our daily lives. Never before have information, communication, banking, economic transactions, navigation, and even political and strategic decision-making been so dependent on space-based technologies, which are themselves witnessing rapid growth.

The Group reiterates that outer space and other celestial bodies are the common heritage of mankind and must be used, explored and utilized for the benefit and interest of all humankind in a spirit of cooperation. The Group reaffirms that the exploration and use of outer space and other celestial bodies should be for peaceful purposes only and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development.

The Group stresses that the growing use of outer space increases the need for greater transparency, confidence-building measures and better information on the part of the international community. The Group believes that all States with major space capabilities have a special responsibility to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space. All States should refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation.

The Group recognizes that the prevention of an arms race in outer space would avert a grave danger for international peace and security. The Group emphasizes the necessity of further measures with appropriate and effective verification provisions to prevent an arms race in outer space in all its aspects.

The Group emphasizes the importance and urgency of preventing an arms race in outer space. In this regard, the Group is deeply concerned over the negative

implications of the development and deployment of anti-ballistic-missile defence systems and the pursuit of advanced military technologies capable of being deployed in outer space, which have, inter alia, contributed to the further erosion of an international climate conducive to the promotion of disarmament and the strengthening of international security.

The Group stresses that all countries bear a responsibility to refrain from activities that could jeopardize the collective goal of maintaining outer space free from weapons of mass destruction and all other forms of weaponization so as to ensure that its benefits are available to all.

The Group considers that the multilateral disarmament agreements provide mechanisms for States parties to consult one another and to cooperate in solving any problems which may arise in relation to the objective of, or in the application of, the provisions of the agreements, and that such consultations and cooperation may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with the Charter of the United Nations.

The prevention of an arms race in outer space has assumed greater urgency because of legitimate concerns that existing legal instruments are inadequate to deter further militarization of outer space, or prevent its weaponization. The Group further reaffirms its recognition that the legal regime applicable to outer space does not in and of itself guarantee the prevention of an arms race in outer space. For that purpose, the Group stresses the need to consolidate and reinforce that regime and enhance its effectiveness.

In this regard, the Group reaffirms that the Conference on Disarmament is the single multilateral disarmament negotiating forum of the international community, which has the primary role in substantive negotiations on priority questions of disarmament. The Group considers that the Conference should start negotiations on matters related to the prevention of an arms race in outer space.

In addition, General Assembly resolution 67/30 on the prevention of an arms race in outer space further made the following observations with regard to the Conference:

- (a) The Conference on Disarmament has the primary role in the negotiation of a multilateral agreement or agreements on the prevention of an arms race in outer space in all its aspects;
- (b) The Conference on Disarmament should establish a working group under its agenda item entitled "Prevention of an arms race in outer space" as early as possible during its 2013 session.

The Group of 21 takes note of the completion of the work of the Group of Governmental Experts and the adoption of a study on outer space transparency and confidence-building measures — as requested by the General Assembly in its resolution 65/68 on transparency and confidence-building measures in outer space activities — which will be submitted to the General Assembly at its sixty-eighth session. The Group, while stressing the priority of negotiation of legally binding instruments on strengthening the international legal regime on outer space, recognizes that global and inclusive transparency and confidence-building measures, arrived at through broad international consultations, could be important complementary measures.

The Group welcomes the joint Russian-Chinese initiative of a draft treaty on the prevention of the placement of weapons in outer space, the threat or use of force against outer space objects, presented by the Minister of Foreign Affairs of the Russian Federation to the Conference on 12 February 2008. This initiative is a

constructive contribution to the work of the Conference, and is a good basis for further discussion towards adopting an internationally binding instrument.

The President: I thank the Ambassador of Bangladesh for his statement on behalf of the Group of 21 and for his kind words addressed to the Chair.

I have no more speakers on my list. Does any delegation wish to take the floor at this time? I see none. I would therefore propose adjourning this plenary meeting, and we will resume in a few moments in informal mode to consider the draft annual report of the Conference to the General Assembly.

The meeting rose at 10.45 a.m.

